

AMENDED IN SENATE JULY 2, 2014

AMENDED IN ASSEMBLY APRIL 8, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2721

**Introduced by Assembly Member Pan
(Coauthor: Assembly Member Patterson)**

February 21, 2014

An act to amend Section 66602 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2721, as amended, Pan. Trustees of the California State University: nonfaculty employees.

Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University. Existing law provides for the membership of the Trustees of the California State University to include 5 specified ex officio members, 16 members appointed by the Governor and subject to confirmation by the Senate, one representative of the alumni associations, 2 student members appointed by the Governor, and a faculty member appointed by the Governor.

This bill would revise the membership of the trustees by requiring the Governor also to appoint a *permanent* nonfaculty employee of the university for a 2-year term, as specified. The bill would require a ~~nonfaculty committee~~, *systemwide staff council*, as specified, to provide to the Governor a list of *two* nominees for the ~~appointment~~. *Governor's consideration, and would require the Governor to appoint one of the nominees.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 66602 of the Education Code is amended
2 to read:
3 66602. (a) The board shall be composed of the following five
4 ex officio members: the Governor, the Lieutenant Governor, the
5 Superintendent of Public Instruction, the Speaker of the Assembly,
6 and the person named by the trustees to serve as the Chancellor
7 of the California State University; a representative of the alumni
8 associations of the state university, selected for a two-year term
9 by the alumni council, California State University, which
10 representative shall not be an employee of the California State
11 University during the two-year term; and 16 members appointed
12 by the Governor and subject to confirmation by two-thirds of the
13 membership of the Senate.
14 (b) (1) Two students from the California State University, who
15 shall have at least sophomore year standing at the institutions they
16 attend, and who remain in good standing as students during their
17 respective terms, shall also be appointed by the Governor to serve
18 on the board for two-year terms.
19 (2) In the selection of students as members of the board, the
20 Governor shall appoint the students from lists of names of at least
21 two, but not more than five, persons furnished by the governing
22 board of any statewide student organization that represents the
23 students of the California State University and the student body
24 organizations of the campuses of the California State University.
25 Any appointment to fill a vacancy of a student member shall be
26 effective only for the remainder of the term of the student member's
27 office that became vacated.
28 (3) The term of office of one student member of the board shall
29 commence on July 1 of an even-numbered year and expire on June
30 30 two years thereafter. The term of office of the other student
31 member of the board shall commence on July 1 of an
32 odd-numbered year and expire on June 30 two years thereafter.
33 Notwithstanding paragraph (1), a student member who graduates
34 from his or her college or university on or after January 1 of the

1 second year of his or her term of office may serve the remainder
2 of the term.

3 (4) (A) During the first year of a student member's term, a
4 student member shall be a member of the board and may attend
5 all meetings of the board and its committees. At these meetings,
6 a student member may fully participate in discussion and debate,
7 but may not vote. During the second year of a student member's
8 term, a student member may exercise the same right to attend
9 meetings of the board, and its committees, and shall have the same
10 right to vote as the members appointed pursuant to subdivision
11 (a).

12 (B) Notwithstanding subparagraph (A), during the first year of
13 a student member's term, the student member may vote at a board
14 meeting if the other student member is absent from that meeting
15 due to illness, a family emergency, or a medical emergency.

16 (5) Notwithstanding paragraph (4), if a student member resigns
17 from office or a vacancy is otherwise created in that office during
18 the second year of a student member's term, the remaining student
19 member shall immediately assume the office created by the vacancy
20 and all of the participation privileges of the second-year student
21 member, including the right to vote, for the remainder of that term
22 of office.

23 (6) A student member shall have his or her tuition fee waived
24 for the duration of his or her term of office.

25 (c) (1) A faculty member from the California State University,
26 who shall be tenured at the California State University campus at
27 which he or she teaches, shall also be appointed by the Governor
28 to serve on the board for a two-year term. In the selection of a
29 faculty member as a member of the board, the Governor shall
30 appoint the faculty member from a list of names of at least two
31 persons furnished by the Academic Senate of the California State
32 University.

33 (2) The faculty member of the board appointed by the Governor
34 pursuant to this subdivision shall not participate on any
35 subcommittee of the board responsible for collective bargaining
36 negotiations.

37 (3) The term of office of the faculty member of the board shall
38 commence on July 1, and shall expire on June 30 two years
39 thereafter.

(d) (1) (A) A *permanent* nonfaculty employee of the California State University covered by the Higher Education Employer-Employee Relations Act (Chapter 12 (commencing with Section 3560) of Division 4 of Title 1 of the Government Code) employee, who is not in a management personnel plan, a confidential classification, or an excluded classification, also shall be appointed by the Governor to serve on the board for a two-year term. ~~A nonfaculty employee committee consisting of one representative from each of the employee organizations of nonfaculty employees of the California State University shall provide to the Governor a list of at least two nominees for the appointment, with all nominees having received a majority vote of the representatives of the employee organizations of nonfaculty employees of the California State University represented on the committee.~~ An independent systemwide staff council formed for this purpose shall provide a list of two nominees for the Governor's consideration and the Governor shall appoint one of these nominees.

(B) The employee organizations of *permanent* nonfaculty employees of the California State University shall fund the ~~committee~~ council to be established pursuant to this paragraph.

(2) The *permanent* nonfaculty employee member of the board appointed pursuant to this subdivision shall not participate on any subcommittee of the board responsible for collective bargaining negotiations.

(3) The term of office of the *permanent* nonfaculty employee member of the board appointed pursuant to this subdivision shall commence on July 1 and shall expire on June 30 two years thereafter.